In the News

Court Brings Justice to Life

A ppellate justices recently shed some light on the legal system for hundreds of students in El Dorado County.

The story "Ponderosa Students Query Appellate Court," which appeared in the March 7 edition of the *Mountain Democrat* (Placerville), described the Fourth Appellate District's visit to an area high school. The article reported that the justices answered questions from students about the appellate system and then heard oral argument in four actual cases. Students asked the justices about their experiences, about trying youths as adults in certain criminal cases, and how they keep their individual prejudices from affecting their decisions.

Many students have improved their understanding of the legal system through the outreach program. Because of the story, more people are aware of the court's efforts to reach out to the community.

Other stories in the news:

'Helping Clergy Help Their Parishioners,' Los Angeles Times, April 14, 2003

Described a seminar organized by the Superior Court of Los Angeles County that provided religious leaders with practical knowledge of the law to enable them to better counsel their parishioners.

'New Video From County Courts Is a Guide to Guardianship Issues,' *Herald* (Benicia), March 25, 2003

Announced the Superior Court of Solano County's new videotape to help self-represented litigants establish probate guardianships through the court system.



Justices from the Fourth Appellate District held oral argument and an informal question-and-answer session for students at a high school. *Photo: Katherine Lewis, Courtesy of the* Mountain Democrat

'County's New Mental Health Court Focuses on Treatment,' Union (Grass Valley), March 18, 2003

Announced the opening of the Superior Court of Nevada County's first-ever mental health court, which gives mentally ill nonviolent criminal offenders the opportunity to avoid jail time by entering a treatment program.

'Creating Special Places for Kids in Courthouses,' Los Angeles Times, March 14, 2003

Featured the recently opened children's waiting room in the down-town courthouse of the Superior Court of Los Angeles County.

'Judge Makes House Calls,' Daily Journal (San Francisco), March 14, 2003; 'Court Program Aids Homeless,' San Jose Mercury News, March 2, 2003

Described the Superior Court of Santa Clara County's Outreach Court, which helps individuals who are or recently were homeless clear their records of misdemeanors, infractions, and outstanding warrants.

Alameda Improves Access for Elders

A ccording to the Public Policy Institute of California, nearly 17 percent of the state's population will be over age 65 by the year 2030.

To help meet the needs of this growing population, the Superior Court of Alameda County held a symposium on March 13 that addressed issues of court access for elders. Approximately 160 court administrators, attorneys, judicial officers, and representatives from local service providers attended the symposium, which focused on identifying barriers to court access and on encouraging service providers who work with the elderly to utilize court resources.

The symposium began with a videotaped address by California State Attorney General Bill Lockyer. He emphasized the importance of (1) an effective response by courts to the needs of the growing elderly population in the state and (2) "equal and strong access to criminal justice protection" for every Californian. Several panels followed, devoted to areas of particular interest for senior citizens, including utilizing the court system; conservatorships and elder abuse; and restraining orders and advice on topics related to housing and probate matters.

The symposium concluded with an open discussion geared toward identifying barriers to court access for the elderly, in which participants brainstormed about possible solutions. They were enthusiastic about the event and appreciated the opportunity to express their opinions. Several indicated that they had been unaware of many of the court resources available to the elderly. Presiding Judge Harry R. Sheppard's closing address indicated that the court-community dialogue on addressing the needs of the elderly would continue and that the court planned to implement several of the attendees' suggestions and expected to conduct similar symposiums in the • For additional information on the symposium, contact Susan Hanks, Director of the Superior Court of Alameda County's

Families and Children's Bureau, 510-272-6028; e-mail: shanks @sct.mail.co.alameda.ca.us. ■

New Elder Abuse Education Campaign

The California Attorney General's Office estimates that 59 percent of individuals believe elder abuse is prevalent, but only 11 percent believe the signs of abuse are easy to recognize.

With the goal of educating Californians on how to identify and report abuse of elders and dependent adults, the Attorney General's Office in April launched a three-year statewide media campaign with the slogan "Face It. It's a Crime."

Continuing for the next two years, the campaign will include paid advertising, public relations initiatives, and community outreach projects conducted in both English and Spanish. Instructions for identifying and reporting cases of neglect and physical, psychological, and financial abuse of elders and dependent adults will be publicized. The campaign will feature a toll-free hotline (888-436-3600) for reporting suspected abuse. The hotline will connect callers directly to their local adult protective services agency or the Long-Term Care Ombudsman crisis line.

• For more information on the campaign, visit www.safestate.org/.





To help meet the needs of the growing senior population, the Superior Court of Alameda County on March 13 held a symposium that addressed issues of court access for elders. *Photo: Courtesy of the Superior Court of Alameda County*

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HR Update

Courts Sign Up for Benefits Program

Following is an update on some of the many statewide human resources initiatives being implemented in the judicial branch.

NEW BENEFITS PROGRAM AVAILABLE TO COURTS

As of May 1, four superior courts have signed up for the first-of-its kind Superior Court Benefits Program.

Under Senate Bill 2140, which took effect January 1, 2003, California counties may exclude trial court employees from their benefits programs. The new Superior Court Benefits Program ensures that court employees have health and welfare coverage.

The benefits package includes coverage for medical, dental, vision, and personal counseling services. It also offers short-term and long-term disability and accidental death and dismemberment coverage. "Because the program is so comprehensive, it eliminates the need for court executive officers to go through the arduous process of negotiating with individual providers to get better rates," says Donna Cortes, an analyst in the Human Resource Division of the Administrative Office of the Courts (AOC).

Courts interested in the program can enroll at any time throughout the year.

For more information, contact Donna Cortes, 415-865-4304; e-mail: donna.cortes @jud.ca.gov.

HELP WITH EXECUTIVE RECRUITING

At the request of several courts, in January 2003 the AOC's Human Resources Division began offering executive recruiting services.

The process involves working with a court to determine its needs and then developing a pool of candidates tailored to that court. The services include assisting with the development of questions for the interviews, helping the court conduct the interviews, advising the court on candidate selection, checking the references of final candidates, and carrying out candidate negotiations.

A brochure is available from the AOC's Human Resources Division that details the process and benefits of this service.

● For more information, contact Merilee Fielding, 415-865-4290; e-mail: merilee.fielding @jud.ca.gov. ■

Postcards Brighten **Jury Room**



The Superior Court of Sonoma County decorated the walls of its jury assembly room with postcards depicting a historic courthouse in each of California's 58 counties. The postcard series replicates the "Temples of Justice" exhibit in the Judicial Council Conference Center, which can be viewed on the California Courts Web site at www.courtinfo.ca.gov/courts/trial/historic/. The Sonoma County court staff retyped the information from the back of each postcard and displayed it on colored construction paper next to the card.

The Judicial Council developed and distributed the postcards to the courts in 2000 to commemorate the 150th anniversary of the California court system. To order a set of postcards, contact the California Courts Infoline at 415-865-7738. Courts may also print the postcards directly from the Serranus Web site at http://serranus.courtinfo.ca.gov/postcards.htm.

Photo: Courtesy of the Superior Court of Sonoma

MOVERS and SHAKERS Former Court Exec Ready for Bench

MARK POTHIER

n April 11, 2003, after serving four years as executive officer of the Superior Court of Yolo County, Kathleen (Kathy) White was sworn in as a judge. The Governor's Office had announced her appointment just two days earlier. Her colleagues on the bench congratulated her and immediately began sending her case files.

Judge White is accustomed to quick, deliberate career changes. After graduating from Duke University in 1976, she worked in New York as a theatrical agent, representing Broadway talent (including Seinfeld's Jason Alexander and "Mikey" of Life cereal fame). She credits a particularly successful deal she negotiated with an unseasoned producer's representative— "a freshly minted lawyer who was very proud to tell me he'd just graduated from Yale"—with having turned her toward lawyering: "I realized afterward, 'I can do this!"

University of Southern California Law School and its proximity to the entertainment industry brought Judge White to California. To her surprise, the law became her first love. "Suddenly I had no interest in representing any entertainer ever again." She graduated in 1984 and was on the law review; worked several years for two prestigious, large litigation firms in Los Angeles; had her first child; and then— another surprise—gave birth to twins.

"When you go from one child to three in one fell swoop, there's a reassessment that happens in which you realize: There's no way I can work trial lawyers' hours and pretend to be a parent." So White and a partner opened their own practice in Los Angeles and stayed until, in 1994, the whole family "moved cold" to Yolo County. For three years, she flew weekly to Los Angeles to close her cases. She then applied for a first-year research attorney position at the Yolo court. "I explained in the interview: I want a life."

Judge White took on increasingly more work for the court, making use of her previous experience, and by September 1999, she was asked to fill the vacant court executive officer position during a one-year transition administration. That post lasted three years longer than anyone had expected. "The judges in Yolo County are incredibly hard-working, wonderful people. It was a privilege to work with them."

Her recent judicial appointment wasn't entirely a surprise—the lengthy application process began in November 2002 but she anticipates big changes, particularly in her relationships with staff. "As a court executive, you are accessible to everyone, all the time, and that's wonderful—and draining—but judges have much more defined limits on how they can interact with others." She will also miss working regularly with "all the great people at Regional" (the AOC's Northern/Central Regional Office in Sacramento).



Judge Kathleen White

Superior Court of Yolo County:

- Judge, 2003
- Executive Officer, 1999-2003
- General Counsel, 1999
- Senior Staff Attorney, 1998
- Staff Attorney, 1997

Committees, task forces, and boards: Yolo County Children's Alliance; Yolo County Drug Court Task Force; Drug and Alcohol Awareness Committee (chair), Davis Rotary Club; Yolo County Criminal Justice Cabinet; California Trial Court Consortium

Photo: Courtesy of the Superior Court of Yolo County

On the other hand, Judge White expects her experience as executive officer to help her sidestep the "huge learning curve" faced by most new judges. "You may understand everything about constitutional law, but if you don't know all those nitty-gritty bureaucratic things that can make life easy or difficult—if you don't know that the jail takes surrenders only at 9 a.m. on certain days of the week, for example—then you will need more time to be educated."

The greatest challenge ahead for her and the court will be the budget, White says. The Yolo County court made news when it instituted mandatory, rotating eight-day furloughs for all staff, from the executive officer down, during the last two weeks of 2002. The court stayed open for emergencies with a skeleton crew. The missed pay was deducted over a period of six months, and benefits were untouched. It was a difficult time, but Judge White says, "We made lemonade out of those lemons. How we do it next year—that remains to be seen."

Judge White places great hope in the restructuring of the court system that began with trial court unification. "The Chief Justice has been visionary in creating the structural changes necessary to allow courts to perform their duties and ensure access. If we don't complete this restructuring, we won't be able to perform our jobs, either administratively or judicially, as the Constitution requires us to do. But it's inexorable; there's a momentum that's slow but overwhelming. We will see these changes happen and things will get better. We just need to get through this particular budget cycle. I think most of us believe that."

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On Leadership

How Values Affect Leadership

MATTHEW S. RICHTER

recent trend in both the A public and private sectors is for organizations to explain their success through "values statements." It occurred to me-and I realize I am not the first to be hit in the face by this epiphanythat this movement toward a values-driven work environment faces two challenges.

DEFINING VALUES

To be useful, values need to have clear and practical meanings. For example, a word such as integrity has become so overused in values statements that it is virtually meaningless in application, and serves only to make executives glad that they participated in a humanistic and "fuzzy" activity led by some management guru. The statements reside in frames, which hang on walls gathering dust. Rarely are they integrated thoroughly into the behaviors, beliefs, and culture of employees.

A true value needs to have meaning, an application within the context of the court, and should encourage a passion for adhering to it. Generating values

is pointless unless the organization is willing to change its culture to fit the values or, conversely, the values describe the current organizational culture.

APPLYING VALUES

The second challenge stems from the schizophrenic tendency to espouse principles and then behave in a completely different way. Sometimes the hardest thing to do is to really figure out our own values systems. What is it we really care about?

For example, the owner of a company wanted so desperately to have a business that valued creativity, new ideas, and high quality that he went out and got what he wished for. He wanted the best people available in order to enhance collaboration and to let them learn from each other. He wanted an environment where people would have the flexibility to be their best and therefore "hit home runs" with customers. In fact, he spent years and many dollars trying to implement and apply values he, unknowingly, didn't actually believe in or need.

In truth, he valued alignment, safety, control, implementation,

steadiness, and hierarchical respect. The words coming out of his mouth were not compatible with the way in which he acted. His staff experienced the implementation of the second set of values as dismissive, disrespectful, and reductive because their expectations were different. In order to compensate for the dissonance he experienced, he micromanaged, undermined independent thinking, and stifled the much-vaunted creativity. The resulting exodus left him with a group of drones who would shout, "Yes-how high?"

Today, however, he is successful, mostly because there is now a correlation between what he espouses and how he behaves. Sometimes a word or an idea that is positive seduces us. Honesty and openness, collaboration, and respect are so appealing as value statements. They glide effortlessly off the tongue. But are they accurate descriptions of how we live, how we work, and who we are?

Believe me, I am not challenging the validity or merit of values such as integrity and accountability. On the contrary,

these are fundamental constructs of communal living-core attributes for how we function, work, and live together. And ultimately-unfortunately-these values have been reduced to letters put together to form words, the meaning stripped from them because the subtlety of their application has been ignored.

Living by a set of espoused values is hard work. Values must be clearly defined and applied. Organizations should decide how the personal values of individual employees can be reconciled with the noted organizational values.

The challenge of fostering values-supported behaviors is so vital to the leadership and future of the branch that we must avoid the temptation to view values determination as a one-time activity. As a part of leadership, values are dynamic, should be robust, and must be lived. For leadership's sake, failure must not be an option.

Matthew Richter is a program manager for the California Center for Judicial Education and Research, responsible for development of staff management for the trial and appellate courts.

Please contact Matt with article ideas, feedback, or suggestions at matthew.richter @jud.ca.gov. ■

National Center Shares

Budget News

As state courts around the country cope with financial hardships, the National Center for State Courts is serving as a clearinghouse of nationwide information. The center surveyed state courts to determine the depth of each state's situation and how its courts have dealt with budget cuts. The center shared this information with court leaders at the midyear meetings of the Conference of Chief Justices and **Conference of State Court** Administrators.

In addition, the center is hosting an online listserv concerning court budgets for state court leaders and administrators. It hopes the listserv will help facilitate an exchange of ideas and provide information that courts can use in discussions with their legisla-

 For more information, visit the center's Web site at www.ncsconline.org/.

Doors to Justice

Continued from page 1

One-time budget reductions totaling \$37.5 million were imposed on the judicial branch in fiscal year 2001–2002. The branch began fiscal year 2002-2003 by absorbing further reductions of \$154.9 million, or 6 percent of its total budget. And in March, Governor Gray Davis signed a midyear budget bill that resulted in \$44.5 million in additional reductions for the branch in this fiscal year-bringing total budget cuts in 2002-2003 to \$199.4 million.

COURTS CUTTING COSTS

The judicial branch is striving to minimize the impact of the budget cuts on services to the public. To cope with the decreased resources, courts throughout the state have implemented a variety of cost-cutting measures. These include hiring freezes; reductions in training, travel, and overtime; reductions in office supplies, subscriptions, and consulting services; deferrals of equipment purchases and contracts; reductions in janitorial services; and renegotiation of existing contracts.

Unfortunately, in many counties these types of administerial budget cuts have not been enough to alleviate the need to reduce services to their communities. To balance their budgets, some courts have offered voluntary furloughs to their staffs. Others have reduced public hours at clerks' offices to enable already understaffed courthouses to deal with the steady stream of case filings. Still other courts have cut back on night court dates and services for self-represented litigants, eliminated community outreach programs, and even closed local branch courthouses in small communities.

STATEWIDE EFFORTS

Chief Justice Ronald M. George, Chair of the Judicial Council, made it clear in his State of the Judiciary address to the Legislature in March that the judicial branch's overall goal is to "keep California's courts open not just physically but also effectivelyespecially for those who are least able to help themselves." He added: "The budget crisis should not and must not be allowed to undermine the public's confidence in the administration of justice in our state."

To help courts deal with the budgetary setbacks, the Judicial Council at its February 28 meeting approved recommended actions including:

- ◆ Redirecting special fundsnormally used for projects related to technology, staff education and training, and pilot programs in court administration-to help offset cuts in trial court budgets;
- ◆ Setting aside emergency funding, totaling nearly \$15 million over the next two years, to address hardships faced by courts that have taken all reasonable steps to manage anticipated budget reductions

- and still experience cash flow challenges;
- ◆ Seeking the Governor's approval of requests for more than \$60 million in midyear funding for mandated expenditures, most of which were previously submitted but were not included in the Governor's proposed budget for fiscal year 2003–2004; and
- ◆ Releasing other restricted funds to assist courts in absorbing unallocated budget reductions.

These measures were developed collaboratively by trial and appellate court representatives and other judicial branch leaders from the Trial Court Executive Management Working Group, the Judicial Branch Budget Advisory Committee, and the Administrative Office of the Courts' (AOC) Finance Division.

Chief Justice George on December 6, 2002, established budget management guidelines for the Supreme Court, Courts of Appeal, Habeas Corpus Resource Center, and AOC. The guidelines introduced recruitment and travel restrictions, reduced the number of advisory committee meetings, and cut back pay raises. In addition, the AOC is reviewing a variety of projects and training programs for possible deferral, cancellation, or $reduction\ in\ order\ to\ divert\ funds$ to courts' operating budgets.

Where appropriate, the AOC is also looking to maximize its own low-cost services to the courts to help replace those that trial courts may need to cut. For example, the agency's Education Division is providing trainings through the AOC's regional offices and has increased its use of satellite broadcasts, Internet courses, and videoconferencing to replace inperson meetings and educational events.

KEEPING LINES OF COMMUNICATION OPEN

As painful as the budget cuts were in 2001-2002 and 2002-2003, the outlook for the state in fiscal year 2003-2004 remains bleak. In preparation for ongoing budget challenges, the judicial branch has made a special effort to convey to the Governor and Legislature the potential impacts of further budget cuts on the courts.

In response to the Governor's proposed 2003-2004 budget, in January the trial courts completed two plans for reducing their 2003–2004 budget—by 5 percent in one plan and by 9 percent in the other. The plans detailed the projected impact of each level of reduction on the courts' respective budgets and, in turn, on services to the public. They detailed how some courts might be forced to eliminate mediation programs, community outreach projects, and other services for families and children. In addition, many courts indicated that they would need to further reduce operating hours and available courtrooms, cut security costs, or even lay off staff.

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Access to Visitation Report

The federal Child Access and Visitation Grant Program is helping promote access and visitation programs that increase noncustodial parents' involvement in their children's lives. But these federal funds have been insufficient to meet the high demand for types of services that do not yet exist in numerous counties throughout the state, according to a report released by the Judicial Council.

ACCESS TO VISITATION PROGRAM

The council released A Report to the California Legislature: California's Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents, Fiscal Years 2001–2002 and 2002-2003, to fulfill part of its charge from the state Legislature to administer and distribute federal Child Access and Visitation Grant Program funds from the U.S. Department of Health and Human Services

(DHHS). Over the past five years, DHHS has awarded a total of \$50 million in block grants for the program.

A recent study by Child Trends found that 40 percent of children whose fathers live outside the home had no contact with their fathers. The aims of the access to visitation grants are to increase noncustodial parents' access to and visitation with children and to help families improve the relationships between parents and children so they do not lose contact with each other.

SERVICES PROVIDED

The report states that the programs funded by the grants are promoting and encouraging healthy parent-child relationships by addressing problems posed by separation and divorce; ensuring that parents maintain contact with their children in safe, child-friendly, nurturing environments; teaching parents positive parenting skills; and re-

ducing the risks of harm to parents and children who are involved in domestic violence or other high-conflict situations.

FUNDING CHALLENGES

The report notes that with the support of federal funding, supervised visitation and exchange services, parent education, and group counseling programs are now available in approximately 36 of the 58 counties in California. The total federal funds received in California for fiscal years 2001–2002 and 2002–2003 were \$1,957,932, not quite two-thirds of the total funds requested by the state's superior courts for this two-year grant period (\$3,182,876).

Each year, funding requests far exceed available federal moneys. As a result, the report cites many challenging issues, including:

 Increasing competition for finite federal funds;

- Growing numbers of clients who do not receive program services, and long waiting lists to receive services;
- ◆ The difficulty of forming multicounty court collaborations, because grant awards cannot be stretched to meet the growing needs of all partners; and
- Defunding of well-established programs.

Although the report contains no specific recommendations, it reiterates that identifying adequate, stable funding resources for programs is a major challenge.

● For more information, contact Shelly Danridge, AOC's Center for Families, Children & the Courts, 415-865-7565; e-mail: shelley.danridge@jud.ca.gov. To view the entire report, visit www.courtinfo.ca.gov/programs/cfcc/resources/grants/a2vlegRt03.htm. ■

Doors to Justice

Continued from page 6

Chief Justice George, Administrative Director of the Courts William C. Vickrey, and other judicial leaders shared these scenarios with the leadership of both the executive and legislative branches to make them aware of the specific impacts of proposed budget reductions on the court system. Judicial leaders have discussed, in addition to potential cuts to court services, issues such as the difficulty of managing cuts when their budgets are composed largely of mandated costs; the need for additional funds to help implement new legislation affecting the courts; the costs of health care plans; and the funding of retirement accounts.

SHARING INFORMATION WITH LOCAL COURTS

The trial court budget reduction plans not only increased communication between budget committees and the judicial branch and other government agencies on the potential impacts of further cuts, but they enabled courts to share ideas with one another. The AOC pooled the information and sent it to court leaders so that they could see what other courts are doing to reduce expenditures.

The AOC is keeping the Judicial Council and the courts informed on the budget situation by additional means, such as:

- Presenting budget reports at each Judicial Council meeting;
- Presenting, on April 8, a live broadcast on the California courts' satellite network, featuring a branchwide dialogue on budget issues affecting the court system;
- Sending regular e-mail updates to court leaders;

◆ Posting the latest budget information and resource materials on the courts' Serranus Web site (http://serranus.court info.ca.gov/programs/finance /latest.htm); and

◆ Creating a special e-mail address (budgets@jud.ca.gov) where court staff can send budget-related questions.

"While a high degree of uncertainty exists as to the eventual outcome of existing funding requests and proposed budget reductions to the judicial branch, it is more important than ever to communicate with staff," says Tina Hansen, the AOC's finance director. "The AOC and the Judicial Council will make ourselves available to meet with members of the courts and our partners outside the judicial branch to confront the challenges facing the court system."

NEXT STEPS

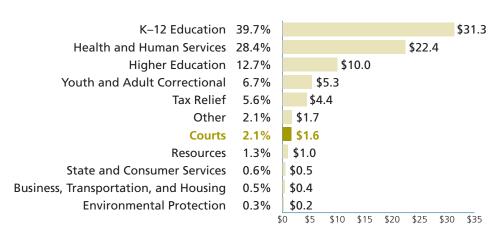
On May 14, Governor Davis released his May Revision, his most current proposal for the fiscal year 2003–2004 State Budget. The revision contains unallocated reductions totaling \$133.7 million for the judicial branch. But the revised budget also proposes a total of \$17.5 million in additional funding for the branch to cover mandatory costs such as workers' compensation, retirement payments, security, and service of process.

and service of process.

In the next step in the State Budget process, the Assembly and the Senate will each develop its own version of a budget bill, working from the Governor's proposal. The Legislature will create a conference committee to work out any differences in the versions. The Legislature is supposed to send one final bill to the Governor by July 1 for his signature. Last year, a State Budget was not signed until September.

How Does Spending for Courts Compare With Other Budget Categories?

General Fund Expenditures, Fiscal Year 2002–2003 (in billions of dollars)



LOOKING TO THE FUTURE

Looking beyond the budget cuts, the courts are busy developing strategies to address broader budget concerns that are sure to face the branch in the future.

In addition to proposing reductions in the 2003-2004 judicial branch budget, the Governor proposed a variety of policy initiatives that would decrease certain costs of court operations and increase some court fees and shift them to the courts. The initiatives were in the areas of security; reporting and ownership of the court record; and savings achieved by consolidation of various administrative services, functions, and contracts. Judicial leaders are discussing these initiatives with constituencies affected by the policy proposalstrial courts, the California Sheriffs' Association, the California State Association of Counties, and labor groups-to find areas of agreement about ways to achieve cost savings for the branch.

The judicial branch is exploring many other avenues in its efforts to address ongoing budget concerns, including:

- ◆ Revenue increases with the intent of lessening the impacts of budget reductions on the courts, most notably through the implementation of an enhanced statewide fine collection process;
- ◆ Development of a state cash flow loan process to ensure that courts can meet their financial obligations in the event a State Budget is not enacted by July 1;
- An annual baseline adjustment process for funding retirement and benefits for trial court employees; and
- ◆ Staffing standards to address resource inequities among the courts.
- For the latest budget news, visit http://serranus.court info.ca.gov/programs/finance/latest.htm, or for more information, e-mail: budgets@jud.ca.gov. The Governor's May revised budget can be viewed at www.dof.ca.gov/html/bud_docs/May_Revision_2003_www.pdf. ■